

such, one skilled in the art would recognize that the resulting polyurethanes are linear, hence **not crosslinked**.

Second, the disclosure of EP '381 is quite explicit that the polyurethane is not only cross-linked but also is characterized by a specific, highly controlled particle size distribution (Weibull distribution of at least 1.3) **and by having each polymer fine particle containing a colorant**. That is, the essence of the disclosure of EP '381 is encapsulated colorant in fine polymer particles of controlled particle size distribution.

There is no disclosure or suggestion of a composition as set forth in the claims in which colorant is present independently of, rather than encapsulated in, the water-dissipatable polyurethane.

The rejection also overlooks the failure of EP '381 to describe ink jet ink compositions which include a water-miscible organic solvent and a water-immiscible organic solvent. The disclosure on page 9, lines 7-8 which were referenced in this regard do not relate to solvents for the ink compositions but only to solvents for the mixture of reactants to form the polyurethane. These are not the solvents for the ink composition.

On page 10, it is disclosed that water is the main solvent (line 36) and that a drying inhibitor may be present. Solvents which may be used as drying inhibitor are disclosed on page 10, lines 41-43. A water-soluble organic solvent which imparts penetrating properties to the ink, such as ethanol, may also be used (see, page 10, lines 47-50). Both of these classes of ingredients are exemplified by water soluble or water miscible organic solvents, e.g., ethylene glycol and ethanol, respectively.

Accordingly, the disclosure of EP '381 does not provide evidence that the present invention would have been *prima facie* obvious at the time this invention was made.

Since the deficiencies of the primary reference are not supplied by Lent '042 or Suzuki '001, the rejections against claims 3-8 and 11-13 should be withdrawn.

Furthermore, since the colorants in the compositions of EP '381 are encapsulated in the fine polymer particles, there would not be any motivation to incorporate water-immiscible solvent. Therefore, even in the case of claim 4, reciting benzyl alcohol as the water-immiscible solvent, and the disclosure in Suzuki '001, of benzyl alcohol as enhancing drying time, it is noted that benzyl alcohol is included together with aliphatic alcohols having from 1 to 4 carbon atoms. Therefore, since EP '381 already includes such water-miscible organic solvents, such as ethanol, the practitioner would not be motivated to also include the water-immiscible benzyl alcohol in the compositions of EP '381. Indeed, Suzuki '001, at col. 12,

lines 38-40 advises against including hydrophobic solvents, thereby further dissuading the practitioner from adopting benzyl alcohol.

Nevertheless, for the reasons set forth above, even including benzyl alcohol in the ink compositions of EP '381 would not result in the compositions according to the present invention.

For all of the foregoing reasons withdrawal of the prior art rejections is in order and is respectfully requested.

In view of the foregoing, the claims are now believed to be in form for allowance, and such action is hereby solicited. If any point remains in issue which the Examiner feels may be best resolved through a personal or telephone interview, please contact the undersigned at the telephone number listed below.

All objections and rejections having been addressed, it is respectfully submitted that the present application is in a condition for allowance and a Notice to that effect is earnestly solicited.

Respectfully submitted,

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